

REMARKS

In the patent application, claims 1-5 and 7-31 are pending. In the final office action, mailed April 26, 2004, claims 1, 5, 7-9, 17-20, 24 and 27 are rejected, claims 10, 15 and 23 are allowed, and claims 11-14, 16, 21, 22, 25, 26 and 28-31 are objected to but would be allowable if rewritten in independent form.

Applicant has amended claims 1, 17 and 24 to include the limitation that the touch pad device has a designated interaction area for allowing a user to use an object to interact with the touch pad device, and a surrounding area which is substantially surrounding the periphery of the designated interaction area for disposing the optical sensor components. The support for the amendments can be found in Figure 2a, which shows optical components 10, 20 and 30 being disposed in an area surrounding the periphery of the designated interaction area 5. Applicant has also amended claim 25 to correct for minor informalities. No new matter has been introduced.

At section 7, claims 1, 5, 7-9 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by *Holehan* (U.S. Patent No. 6,337,918).

It is respectfully submitted that *Holehan* discloses an optical mouse pad or scroll pad, where all the infrared sources 20 and the infrared detector 24 are located below the central portion of the pad. In contrast, the light emitters and receivers of the claimed invention are disposed in an area substantially surrounding the periphery of the designated interaction area. As such, the functions associated with the touch pad device can be shown within the designated interaction area. *Holehan* only uses the touch pad to obtain the fingerprint (col.4, lines 34-39), or to locate the position of the finger so as to move the cursor on the screen (col.4, lines 40-45). *Holehan* does not disclose or even suggest that an area substantially surrounding the periphery of the designated interaction area is used to dispose the light sensing components.

At section 7, the Examiner states that the peripheral area of *Holehan* comprises at least the area underneath the glass 22 and since the area underneath the glass is adjacent to the inner area or interaction area on the glass, the limitation of a peripheral area is met.

It is respectfully submitted that, in plain English, a periphery is the external boundary of an area (see Random House Unabridged Dictionary, Second Edition). Thus, the periphery of the designated interaction area as claimed is the four sides of the rectangle 5 (Figure 2a, for example).

In *Holehan*, the interaction area is the glass plate 22, while the optical components are located below the glass plate, separate from the glass plate. There is nothing on the external boundary of the glass plate 22.

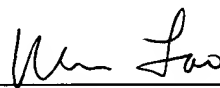
For the foregoing reasons, it is respectfully submitted that claims 1, 17 and 24 are distinguishable over the cited *Holehan* reference.

As for claims 5, 7-9, 18-20 and 27, they are dependent from claims 1 and 17 and recite features not recited in claims 1 and 17. For reasons regarding claims 1 and 17 above, it is respectfully submitted that claims 5, 7-9, 18-20 and 27 are distinguishable over the cited *Holehan* reference.

CONCLUSION

Claims 1, 5, 7-9, 17-20, 24 and 27 are allowable. Early allowance of these claims is earnestly solicited.

Respectfully submitted,



Kenneth Q. Lao
Attorney for the Applicant
Registration No. 40,061

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955